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Press Release

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Citizens Right To Speak Case Continued

In a July 7 , 11:00 AM hearing in Superior Court, Judge Harry S. Margolis made no immediate decision in the case brought by Newark citizens seeking the right to speak during regular City Council meetings.

The case resulted when the Newark City Council refused to honor a citizen referendum effort which called for the right to speak issue to be put on the ballot. The City held no discussions with the citizens group, and instead passed a different ordinance which did not address the central issue: citizens right to speak during regular City Council meetings.

Speaking to a standing room only crowd of Newark citizens, Judge Margolis said all parties would be notified of his decision.

"I never thought that the City of Newark would go to this length - hiring lawyers to go to court - to keep people from voting on this issue. The referendum was about the right to speak during regular City Council meetings," said Raz Baraka, one of the plaintiffs in the case.

"Why would you want to discourage people from participating in City Council meetings? Why wouldn't you do everything possible to encourage their participation in your meetings?" said Frank Hutchins, from the HUD Tenants' Coalition, another group who participated in the referendum effort.

"Residents of Newark have no chance to speak to their own City Council during a regular business meeting," said Manuel Lavin. "Thousands of voters signed the petition, and wanted the opportunity to vote on this issue."

Lawyers for the City of Newark argued that the decisions about how to run Council meetings are "administrative", and cannot be the subject of a citizens referendum. Lawyers for the citizens said that the basic issue of citizen exclusion from participation in the regular meetings is public policy, and as such, could be put to a vote.

The case was argued for the citizens group by Frank Askin, of the Rutgers Constitutional Litigation Clinic, Renee Stienhagen, of the Public Interest Law Center of New Jersey, and Lenora Lapidus of the American Civil Liberties Union of New Jersey..